

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

COREY BRACEY,

Plaintiff,

v.

COREY VALENCIA, *et al*,

Defendants.

Civil Action No. 2:19-cv-1385

Hon. William S. Stickman IV

Hon. Maureen P. Kelly

ORDER OF COURT

Plaintiff Corey Bracey (“Bracey”) brought this *pro se* civil rights and defamation action pursuant to 42 U.S.C. § 1983 as a result of an altercation with correctional officers at the State Correctional Institution (“SCI”) – Greene. The case was referred to Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court 72.C and 72.D.

Defendants Corrections Officer I Corey Valencia (“Valencia”), Corrections Officer I Christopher Colgan (“Colgan”), and Lieutenant Morris (“Morris”) (collectively, “DOC Defendants”) seek dismissal of Bracey’s civil conspiracy claims. (ECF No. 109). Magistrate Judge Kelly, in a Report and Recommendation (ECF No. 136), recommended that the Court deny the motion. She noted that Bracey sets forth facts in his Second Amended Complaint that, taken as true, establish a plausible claim for conspiracy to deprive him of his constitutional rights. (ECF No. 136, pp. 5-7). The parties were given until March 22, 2021 to file objections. (ECF No. 136). No objections were filed. Therefore, the Court will not disturb Magistrate Judge

Kelly's conclusions in her Report and Recommendation and it hereby ADOPTS the Report and Recommendation (ECF No. 136) as its Opinion.

AND NOW, this 30 day of March 2021, the Court hereby DENIES the DOC Defendants' Motion to Dismiss (ECF No. 109).

BY THE COURT:

A handwritten signature in black ink, appearing to read "W S STICKMAN IV", written over a horizontal line.

WILLIAM S. STICKMAN IV
UNITED STATES DISTRICT JUDGE